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AUG 02 2004

In re Application of  
Stuart H. Thomson et al  
Application No. 10/056,572  
Filed: January 24, 2002  
Attorney Docket No. 1095-1066.3

OFFICE OF PETITIONS

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed July 19, 2004, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to submit the issue/publication fee in a timely manner in reply to the Notice of Allowance mailed January 30, 2004, which set a statutory period for reply of three (3) months. Accordingly, the above-identified application became abandoned on May 1, 2004.

MPEP 5.02 states that "the Certificate should be signed by the individual actually depositing or transmitting the correspondence or by an individual who, upon information and belief, expects the correspondence to be mailed or transmitted in the normal course of business by another no later than the **date** indicated." Since the reply was not date, therefore, the reply is not entitled to the benefits of 37 CFR 1.8 since it was not dated.

Telephone inquiries concerning this decision should be directed to Wan Laymon at (703) 306-5685.

This matter is being referred to Publishing Division.

*Wan Laymon*  
Wan Laymon

Petitions Examiner  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy